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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,646	09/29/2004	Eithan Ephrati	5035-188US/P29,548USA	2270
7590 09/05/2007 Richard C Woodbridge Synnestvedt Lechner & Woodbridge P O Box 592 Princeton, NJ 08542-0592			EXAMINER JONES, SCOTT E	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 09/05/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

82

Office Action Summary	Application No.		Applicant(s)	
	10/509,646		EPHRATI ET AL.	
	Examiner		Art Unit	
	Scott E. Jones		3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over LaDue (U.S. 5,999,808).

LaDue discloses a wireless gaming and gambling method and apparatus for wireless gaming and gambling methods utilizing wireless data communication networks such as cellular, paging and satellite networks (1:10-16).

Regarding Figs. 9 and 9B, LaDue discloses the CCAD gaming communicator 100 is configured similarly to operate like a portable video game caddy. It has a full color liquid crystal display 252, a toggle control 253, a power on button 285 and a power off button 286. These buttons control game caddy power and cellular and pager circuit power. The game caddy contains a normal 900 MHz paging receiver and a normal cellular transceiver with modified CCAD software that is compatible with AMPS analog cellular, TACS analog cellular, TDMA IS54/136 cellular, GSM TDMA cellular, or IS-95 CDMA cellular. The game caddy can be configured as a dual mode cellular transceiver and can operate both in analog and digital platforms. The game caddy can also contain a differential GPS receiver. This feature is necessary for gaming casinos to track the assigned user. Another configuration that may be utilized is to establish an in building personal communications network that is compatible but yet

Art Unit: 3714

distinct from the cellular and paging networks. The in-building PCN network manages the gaming caddies, and also provides relative location in terms of its stationary transceiver nodes.

There are many ways to configure the unique gaming system. The CCAD gaming unit also can be configured as a full voice service support system by including a hands free microphone 292 and a speaker 291, so that the user can place calls to the casino control center for various

information, etc. The CCAD game caddy can also be used as an advertisement and information medium. For example slow scan video images can be transmitted over the paging network, and down linked to the game caddy. Casino events, airport flight information, other travel

information, the **best gaming odds**, all can be transmitted to the CCAD gaming caddy. **To place**

a bet on a sports event, the **user scrolls a menu** using the scroll up button 287 and the scroll down button 288 that depicts gaming choices, to choose anything from the game Keno to

electronic poker. For example, a sports betting screen depicts the day's football choices on the LCD display 252. Once a team is chosen by simply toggling over to the selection with toggle

control, so indicated by a movable colored rectangle cursor, the user then selects the bet amount 294 depicted in the screen, presses the set button 289, then presses the send button 290. The

CCAD gaming caddy then transmits the bet codes, user codes and authorization codes that complete the transaction. The gaming information is managed in the same manner as other

CCAD applications. The CCAD gaming system can be used by any hotel or casino to provide on site and off site gambling wherever the local laws allow for this type of sanctioned activity.

The CCAD game caddy can be carried anywhere there is a cellular and paging system that supports CCAD and within a metropolitan statistical area (MSA) that allows for legal gambling (10:40-11:24).

Art Unit: 3714

LaDue seems to lack explicitly disclosing automatically selecting the best odds on an event offered by two or more bookmakers as recited in claims 1 and 16. However, LaDue does disclose that the "best gaming odds" are downloaded to the game caddy. Thus, it would have been obvious to one having ordinary skill in the art at the time of applicant's invention to incorporate the best gaming odds from multiple bookmakers into LaDue to automate downloading the best gaming odds to the game caddy. Fully automating wireless gaming devices are a routine endeavor in the gaming arts.

Furthermore, LaDue appears to be silent with regards to a Web based gaming device. However, it would have been obvious to one having ordinary skill in the art at the time of Applicant's invention to update LaDue's device to the latest technology. Doing so is a routine endeavor in the gaming arts.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (571) 272-4438. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Scott E. Jones/
Primary Examiner, Art Unit 3714

SEJ